

Liggins, Shirley

From: Minnich, Carolyn
Sent: Wednesday, April 13, 2016 1:05 PM
To: Aja, Deborah; Alexander, Delonda; Allocco, Marcia; Andersen, Jan; Barnhardt, Art; Basinger, Corey; Bateson, James; Bolich, Rick; Boyles, Sean; Bradford, Teresa; Bullock, Scott; Burch, Brent; Caulk, Kim; Cotton, Helen; Davidson, Alison; Davidson, Landon; Davies, Robert; Day, Collin; Doorn, Peter; Gregson, Jim; Hardison, Lyn; Jackson, Vance; Jesneck, Charlotte; Karoly, Cyndi; King, Morella s; Knight, Sherri; Kromm, Carin; Lee, David; Lorscheider, Elien; Lown, David; Marks, Cheryl; May, David; Mccarty, Bud; Mussler, Ed; Parker, Michael; Patterson, Jenny; Phelps, Michael; Pitner, Andrew; Poupart, Jeff; Powers, Mark; Qi, Qu; Randolph, Wayne; Risgaard, Jon; Scott, Georgette; Smith, Danny; Swope, Eric; Taraban, Ron; Walch, John; Watkins, Jason; Williford, Mike; Woosley, Julie; Zimmerman, Jay; Corbitt, Lisa; Dave Canaan; David Caldwell; david wolfe; Joe Hack ; Green, Megan; Shawna; Veronica Mosley
Cc: Liggins, Shirley; Scott, Michael; Nicholson, Bruce; Peacock, David; Edwards, Caroline; Matt Ingalls (MIngalls@harthickman.com); 'Tony Kuhn'
Subject: BROWNFIELDS INITIAL NOTIFICATION (20026-16-060 Kaiser Fluids Tech II, Mecklenburg County)

To DEQ Cleanup Programs:

This is an internal courtesy notice to inform your program that the DEQ Brownfields Program has received a Brownfields Property Application submitted by Flywheel Group, LLC as the Prospective Developer (PD) seeking entry into the Brownfields Program for the following property. This property was previous in the Brownfields Program under the project number 16043-12-060 and the Prospective Developer was the City of Charlotte. A letter of eligibility was issued on November 13, 2012. Then in January 2014, the City of Charlotte was changed to no further interest in pursuing a brownfields agreement.

Site Name: Kaiser Fluids Tech II

Address: 530 East Sugar Creek Road

City/County/Zip: Charlotte, Mecklenburg County, 28213

BF Project Number: 20026-16-060 (previously 16043-12-060)

Tax ID: 09107104

AKA: (Give other regulatory site name(s), if applicable):

Known Identifying Numbers from: RCRA Non-Gen, SHWS/IHSB (NONCD000194), IMD

NCD#: 986192847

GW Incident #: 85906

Map link:

<http://deq.nc.gov/about/divisions/waste-management/waste-management-rules-data/waste-management-gis-maps/ihs-map-viewer>

Past companies on the Brownfields Property were Ronson Hydraulics & Kaiser Fluid Technologies. Operations included the design and manufacturing of hydraulic fluid control systems for the aerospace industry. Since 2003, the property has been vacant, except for limited storage of office equipment, construction and Halloween Props. Proposed redevelopment is commercial, industrial and potential multi-family residential in the long term.

We are now evaluating Flywheel Group, LLC and the subject property for eligibility for entry into the Brownfields Program. Under the Brownfields Property Reuse Act, only entities that did not cause or contribute to the contamination at the property are eligible to enter the program. The applicant PD listed below have asserted that: 1) they have not

caused or contributed to the contamination at the property, and 2) they have substantially complied with laws, regulations, and rules for the protection of the environment. If you have any information to suggest otherwise, please provide that information to me at carolyn.minnich@ncdenr.gov by April 26, 2016.

PD Contact Name: Tony Kuhn
PD Company: Flywheel Group, LLC
PD Address: 427 Shasta Lane, Charlotte, NC 28211
Phone No.: 919-219-3987
Fax No.: none provided

PD Representative: Matt Ingalls
Phone: 704-887-4617
Fax No.: 704-586-0373
Email: mingalls@harthickman.com

PD Website: www.flywheelgrp.com

A Brownfields Agreement (BFA) has no legal effect on your agency's authority to regulate or enforce against any and all parties who caused or contributed to the contamination at the property. In fact, the BFA will require the developer to provide access to the property to any party doing work under any DEQ program.

A BFA provides liability protection only to a non-causative redeveloper of the property. The developer will be required to make the property safe for its intended re-use. Cleanup to unrestricted use standards will not be required unless deemed necessary based on the developer's proposed use of the property. Furthermore, the BFA will not change the developer's responsibility to obtain any and all DEQ permits (e.g. storm water, sediment control, NPDES, etc.) as required under applicable law.

If you have any questions, please don't hesitate to contact me.

Thank you,

Carolyn Minnich
Brownfields Project Manager
Division of Waste Management
Department of Environmental Quality

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Carolyn.Minnich@ncdenr.gov

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